

Notice of Allowability

Application No.

10/723,800

Examiner

Robert J. Hoffberg

Applicant(s)

BERENS ET AL.

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/23/06.
2. ☒ The allowed claim(s) is/are 11, 16-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



LYNN FEILD
SUPERVISORY PATENT EXAMINER

Detailed Action

Allowable Subject Matter

1. Claims 11 and 16-19 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Claims 11 and 16 and all claims dependent thereof are allowable over the art of record because the prior art does not teach or suggest that a “frame member”, a “first component”, a “first and second tracks”, a “latch element” with “a drop down handle pivotably mounted on said latch element” between “an operative position position” to disengage and “stored position closely adjacent said latch element.” The closest reference to present invention is believed to be Ayd et al. (US 6,025,989) that teaches a chassis with an opening and a second track and a frame member with a first component or blower and a first track and a latching element and a drop down handle on the frame member, but lacks the specific structure of the latch and a drop down handle on the latching element. Helot (US 5,717,571) teaches a latching element with the outrigger portions for guiding a frame into a chassis, but lacks the first and second tracks and a latch with a drop down handle. Huang (US 6,272,008), Weng (US 6,245,580), Mattei et al. (US 6,879,490), Gan (US 2002/0043908) and Chen (US 2003/0099089) teach first and second tracks on a tray and frame members respectively. Jones (US 5,761,032), Behl et al. (US 2003/0133266) and Olesiewicz (US 2005/0063156) teach a tray for mounting of two components through a single opening in a device chassis.

The aforementioned limitations in combination with all remaining limitations of the respective claims are believed to render said claims 11, 16 and 18 and all claims dependent therefrom patentable over art of record.

Response to Arguments

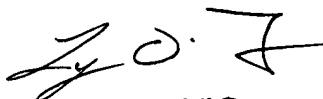
2. Applicant's amended claims 11 and 16 incorporate all the limitations of all the intervening claims that they dependent on respectively. New claim 18 omits some of the structure of claim 11, but retains the structural elements that make this claim novel over the prior art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Hoffberg whose telephone number is (571) 272-2761. The examiner can normally be reached on 8:30 AM - 4:30 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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